

## CALIFORNIA LEGISLATURE

2019–20 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED FIFTY-THIRD LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, February 18, 2020

The Senate met at 2 p.m.

Hon. Hannah-Beth Jackson, of the 19th District, presiding.

Secretary Erika Contreras at the Desk.

Assistant Secretary Dylan Goldstein reading.

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

#### ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—36.

Quorum present.

*(NOTE: Senators Chang, Grove, and Hertzberg will be excused this day on personal business.)*



**PRAYER**

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

The ultimate measure of a person

is not where they stand in moments of comfort and convenience,  
but where they stand at times of challenge and controversy.

The true neighbor will risk their position, their prestige, and even their  
life for the welfare of others.

(Reverend Dr. Martin Luther King, Jr.)

*Gracious God of mercy and justice*, as we face the challenges and opportunities of each day, help us to stand firm in our truth while respecting the dignity of other truths; give us the courage to forgo our own comfort and convenience for the benefit of those denied their basic human rights; and when we fail, may we know Your continued mercy and love. We ask this in Your name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Senator Mitchell led the Senate in the Pledge of Allegiance to the Flag.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 1040:** By Senator McGuire—An act relating to transportation.

**Senate Bill 1041:** By Senator Hueso—An act to amend Section 3960 of the Fish and Game Code, relating to hunting.

**Senate Bill 1042:** By Senator Pan—An act to amend Section 26012 of the Business and Professions Code, and to amend Sections 100000, 100002, 100004, 100010, 100014, 100028, 100032, 100034, 100038, 100043, and 100046 of, and to amend the heading of Title 21 (commencing with Section 100000) of, the Government Code, relating to retirement savings.

**Senate Bill 1043:** By Senators Pan and Jackson—An act relating to care facilities.

**Senate Bill 1044:** By Senator Allen—An act to add Sections 13029, 13061, and 13062 to the Health and Safety Code, relating to fire protection.

**Senate Bill 1045:** By Senator Bradford—An act to amend Section 851.91 of the Penal Code, relating to criminal records.

**Senate Bill 1046:** By Senator Dahle—An act to amend Section 2077 of the Fish and Game Code, relating to fish and wildlife.

**Senate Bill 1047:** By Senator Stern—An act to amend Section 3212.15 of the Labor Code, relating to workers' compensation.

**Senate Bill 1048:** By Senator Borgeas—An act to amend Section 8000 of the Government Code, relating to state government.



**Senate Bill 1049:** By Senator Glazer (Principal coauthor: Assembly Member Bauer-Kahan)—An act to add Section 36902 to the Government Code, relating to local government.

**Senate Bill 1050:** By Senator Umberg—An act to amend Section 48645.6 of the Education Code, relating to pupils.

**Senate Bill 1051:** By Senator Grove—An act to amend Section 120115 of the Health and Safety Code, relating to communicable disease prevention and control.

**Senate Bill 1052:** By Senator Hertzberg—An act to add Chapter 11.5 (commencing with Section 13910) to Division 7 of the Water Code, relating to water quality.

**Senate Bill 1053:** By Senator Moorlach—An act to add Article 1.5 (commencing with Section 2720) to Chapter 6 of Division 2 of the Business and Professions Code, relating to healing arts.

**Senate Bill 1054:** By Senator Moorlach—An act to add Article 5.5 (commencing with Section 2655) to Chapter 5.7 of Division 2 of the Business and Professions Code, relating to healing arts.

**Senate Bill 1055:** By Senator Chang—An act to amend Section 667.5 of the Penal Code, relating to human trafficking.

**Senate Bill 1056:** By Senators Portantino and Lena Gonzalez—An act to add Section 116379 to the Health and Safety Code, relating to drinking water.

**Senate Bill 1057:** By Senator Jones—An act to amend Sections 8726, 8764, and 8780 of the Business and Professions Code, and to amend Sections 4529 and 66452.5 of the Government Code, relating to land.

**Senate Bill 1058:** By Senator Hueso—An act to amend Sections 233, 276, and 882 of the Public Utilities Code, relating to telecommunications.

**Senate Bill 1059:** By Senator Hill—An act to amend Section 73 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 1060:** By Senator Hill—An act to amend Section 5021 of the Public Resources Code, relating to historical resources.

**Senate Bill 1061:** By Senator Monning—An act to amend Sections 11106, 18005, 25555, 26379, 26405, 26510, 26540, 27620, 27855, 27930, 31770, 31835, and 34010 of, and to add Section 18001 to, the Penal Code, relating to firearms.

**Senate Bill 1062:** By Senator Durazo—An act to amend Section 4497 of the Welfare and Institutions Code, relating to developmental services.



**Senate Bill 1063:** By Senator Durazo—An act to amend Sections 56345.1 and 56462 of, to amend and renumber Section 56021.1 of, and to add Section 56021.1 to, the Education Code, and to amend Sections 4868, 4869, 19000, 19095, 19098, 19098.5, 19103, 19104, 19150, and 19152 of, and to add Section 19155 to, the Welfare and Institutions Code, relating to developmental services.

**Senate Bill 1064:** By Senator Skinner—An act to add Section 5016 to the Penal Code, relating to prisons.

**Senate Bill 1065:** By Senator Hertzberg (Principal coauthor: Assembly Member Berman)—An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services.

**Senate Bill 1066:** By Senator Galgiani—An act to amend Section 146e of the Penal Code, relating to crimes.

**Senate Bill 1067:** By Senator Moorlach—An act to amend Sections 53550 and 53553 of the Government Code, relating to local agencies.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Resolution 74**—Relative to Black History Month.  
Resolution read third time and presented by Senator Bradford.

**Roll Call**

The roll was called.

**CALL OF THE SENATE**

Pending the announcement of the vote, Senator Bradford moved a call of the Senate.

Motion carried.

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Mitchell presented a member's resolution to Alison Walker, 2020 Black History Month Unsung Hero.

**At 2:45 p.m., Hon. Mike McGuire of the 2nd District, Presiding**

**At 2:46 p.m., Hon. Hannah-Beth Jackson of the 19th District,  
Presiding**

**PRIVILEGES OF THE FLOOR  
SPECIAL RECOGNITIONS**

Senator Bradford presented a member's resolution, in absentia, to Gilbert "Gil" Smith, 2020 Black History Month Unsung Hero.



**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS**

**Assembly Concurrent Resolution 144**—Relative to Physician Anesthesiologist Week.

Resolution read third time and presented by Senator Glazer.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (35)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH (SR 74)**

On motion of Senator Bradford, further proceedings under the call of the Senate were dispensed with.

**Roll Call**

The names of the absentees were called and SR 74 was adopted by the following vote:

AYES (35)—Senators Allen, Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on personal business: Senators Chang, Grove, and Hertzberg.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 3:02 p.m., on motion of Senator Atkins, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Atkins moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, February 19, 2020.

Motion carried.



**MOTIONS, RESOLUTIONS AND NOTICES****MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **AB 736** was withdrawn from the Committee on Governance and Finance and re-referred to the Committee on Rules.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 1068:** By Senator Pan—An act to amend Section 1569.31 of the Health and Safety Code, relating to residential care facilities.

**Senate Bill 1069:** By Senator Jackson—An act to add Section 2892.2 to the Public Utilities Code, relating to telecommunications.

**Senate Bill 1070:** By Senator Leyva—An act to amend Section 65302 of the Government Code, relating to land use.

**Senate Bill 1071:** By Senators Wilk, Archuleta, and Bates (Principal coauthor: Assembly Member Brough) (Coauthors: Senators Chang, Dahle, Galgiani, and Jones) (Coauthors: Assembly Members Choi, Cunningham, Lackey, Mathis, Blanca Rubio, and Voepel)—An act to add and repeal Section 17132.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 1072:** By Senator McGuire—An act to add Part 1.65 (commencing with Section 7279.51) to Division 2 of the Revenue and Taxation Code, relating to taxation, making an appropriation therefor.

**Senate Bill 1073:** By Senator Lena Gonzalez (Principal coauthor: Assembly Member Petrie-Norris)—An act to add Section 14124.15 to the Welfare and Institutions Code, relating to Medi-Cal.

**Senate Bill 1074:** By Senator Glazer—An act to amend Section 1266 of the Health and Safety Code, relating to health facilities.

**Senate Bill 1075:** By Senator Lena Gonzalez—An act to amend Section 48000 of the Education Code, relating to transitional kindergarten.

The following measures were offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 86:** By Senator Hurtado—Relative to the Officer Jonathan Diaz Memorial Overcrossing.

**Senate Resolution 78:** By Senators Dodd, Allen, Archuleta, Borgeas, Bradford, Chang, Galgiani, Glazer, Hill, Hueso, Jones, Nielsen, Portantino, Rubio, Wiener, and Wilk—Relative to Problem Gambling Awareness Month.



**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Atkins requested that when the Senate adjourns this day it do so in memory of Rev. George Walker Smith of San Diego.

Senator Stern requested that when the Senate adjourns this day it do so in memory of Dr. Melvin Seeman of Malibu.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Clifford "Cliff" Kunkel, Col., United States Air Force (Ret.) of Fairfield.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, February 19, 2020.

MATHEW BURNS, Minute Clerk

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